



**MINUTES**

**The Metropolitan Government of Nashville and Davidson County**

**Board of Fire and Building Code Appeals**

Meeting Date: **Tuesday – June 13, 2023**  
Place: Development Service Conference Center- Metro Office Building-  
800 President Ronald Reagan Way  
Time: 9:00 A.M.

FIRE AND BUILDING BOARD MEMBERS	MEMBER TERM EXPIRES	MEMBER ATTENDANCE	STAFF PRESENT
Andy Berry Ilke Hanloser- Alternate Chairman Cal Nielson Marina Ntoupi - Chairman Tim Prow -Vice Chairman Devinder Sandhu Christopher Dunn Vacant Vacant	July 20, 2025 July 19, 2026 March 1, 2025 April 1, 2025 July 19, 2026 July 20, 2025 March 1, 2027	Present Present Present Absent Absent Present Present	Tim Rowland John Tyler Tessa Oritz-Marsh Barbara Demonbreun Terresita Burkes Theresa Hayes

AGENDA TOPICS
I. Call Meeting To Order II. Appeal Cases III. Other Business IV. Approval of Last Month’s Minutes V. Adjournment

**I. CALL THE MEETING TO ORDER**

**II. APPEAL CASES**

**Appeal Case No. 20230033872**

Site Address: **1913 21<sup>st</sup> Avenue South  
Nashville, TN 37212**

Represented by: David Randolph-Smith  
Ray Berk  
Richard Moss  
Catherine Smith

Map/Parcel Number: 10412005400

**Appellant: David Smith**

Parcel Owner: Smith, David Randolph & Berk, Rafael

**Code Provision:** 2018 IBC section 1011.5.2 Riser height and tread depth. Stair riser heights shall be 7 inches maximum and 4 inches minimum.

**Applicant Appeals:** Staircase rebuilt to original footprint with 7.75" risers meets residential code.

Discussion:

Motion: APPROVE

Approved / Denied:

First: Dunn  
Second: Berry

**Approved**  
**5-0**

**Appeal Case No. 20230035696**

Site Address: **1301 Herman Street  
Nashville, TN 37208**

Represented by:

Map/Parcel Number: 09204032200

**Appellant: Lauren Miller-Wilmoth**

Parcel Owner: 1301 Herman Street LLC

**Code Provision:** 2018 IBC 1011.7 Stairway Construction. Stairways shall be built of materials consistent with the types permitted for the type of construction of the building, except that wood handrails shall be permitted for all types of construction.

2018 IBC 510.2 Horizontal Building Separation Allowance. A building shall be considered as separate and distinct buildings for the purpose of determining... type of construction where all of the following conditions are met: 1) The buildings are separated with a horizontal assembly having a fire resistance rating of not less than 3 hours. 2) The building below, including the horizontal assembly, is of Type 1A construction. 3) Shaft, stairway, ramp and escalator enclosures through the horizontal assembly shall have not less than 2 hour fire-resistance rating with opening protectives in accordance with Section 716

**Applicant Appeals:** 2021 IBC 510.2 adds a new Item #4: Interior exit stairways located within the Type 1A building are permitted to be of combustible materials where the following requirements are met: 4.1) The building above the Type 1A building is of Type 3, 4 or 5 construction. 4.2) The stairway located in the Type 1A building is enclosed by 3 hour fire-resistance rated construction with opening protectives in accordance with Section 716. The appellant seeks permission to comply with this section of the '21 IBC for this project.

Discussion:

**Due to conflict of interest with board member this case is deferred to July 11, 2023, meeting.**

Motion:

First:  
Second:

Approved / Denied:

**DEFERRED**

**Appeal Case No. 20230036055**

Represented by: Todd Lind

Site Address: **2130 Abbott Martin Road  
Nashville, TN 37215**

Map/Parcel Number: 11714042700

**Appellant: Todd Lind**

Parcel Owner: Green Hills Mall TRG, LLC

**Code Provision:** Per IBC 2902.3.4, location of toilet facilities in malls - requires them to be within 300 feet travel distance from tenant entry for the public, to be within 300 feet travel distance from the work area for employee toilet. Current distance to the toilets - 338 feet from the entry and 350 feet from the work area

**Applicant Appeals:** Appellant would like a variance on the required travel distance and to remove the existing toilet room currently in the tenant space.

Discussion:

Motion: Deny

Approved / Denied:

First: Nielson  
Second: Berry

**Denied**  
**4-1**  
**1-Sandhu**

**Appeal Case No. 20230036249**

Represented by:

Site Address: **2427 Brick Church Pike  
Nashville, TN 37207**

Map/Parcel Number: 07102013700

**Appellant: John Root**

Parcel Owner: Brick Church Pike Sitework, LLC

**Code Provision:** Per 2018 IBC 1107.6.1.1 Accessible Units: For an R-1 Occupancy, on a multiple-building site, where structures contain more than 50 dwelling units or sleeping units, the number of Accessible units shall be determined per structure. On a multiple-building site, where structures contain 50 or fewer dwelling units or sleeping units, all dwelling units and sleeping units on a site shall be considered to determine the total number of Accessible units. Accessible units shall be dispersed among the various classes of units.

**Applicant Appeals:** Appellant requests variance on the required number of accessible units

Discussion:

**Due to conflict of interest with board member this case is deferred to July 11, 2023, meeting.**

Motion:

First:  
Second:

Approved / Denied:

**Deferred**

**Appeal Case No. 20230036159**

Represented by:

Site Address: **747 Douglas Avenue #101  
Nashville, TN 37207**

Map/Parcel Number: 07116015800

**Appellant: Tim Brinn**

Parcel Owner: Douglas Village, LLC

**Code Provision:** 1. 2018 IECC C503 Alterations C503.1 General. Alterations to any building or structure shall comply with the requirements of section C503 and the code for new construction. Exception: the following alterations need not comply with the requirements for new construction provided that the energy use of the building is not increased: 4. Construction where the existing roof, wall, or floor cavity is not exposed.

2. Inspector noted that the plans call for type 2 construction as non-combustible. It is assumed this is in reference to the low wall of the serving bar. IBC 602.2 Types I & II. Types I and II construction are those types of construction in which the building elements listed in Table 601 are of noncombustible materials, except as permitted in section 603 and elsewhere in this code. Section 603.1 Allowable materials. Combustible materials shall be permitted in buildings of Type I or II in the following applications and in accordance with Sections 603.1.1 through 603.1.3: 1 Fire- retardant-treated wood shall be permitted in: 1.1 Nonbearing partitions where the required fire-resistance rating is 2 hours or less. Per Table 601, nonbearing walls and partitions - Interior have a fire-resistance rating requirement of zero hours.

**Applicant Appeals:** The existing exterior walls and roof are not being altered in any way.

Discussion:

**DUE TO NO ONE AT MEETING TO REPRESENT THIS CASE, THIS CASE IS DEFERRED TO JULY 11, 2023, MEETING**

Motion:

First:  
Second:

Approved / Denied:

**Deferred**

III. OTHER BUSINESS	_Had open discussion of a new law that will take effect July 1, 2023- Public Chapter No. 300 House Bill 448-that adds a new section Open Meetings Act for open public discussion and comments at beginning of each meeting. Discussed procedures, time limits etc. The open discussion/open comments time will take place at the beginning of each meeting beginning July 1, 2023.	
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IV. Approval of Minutes:  Changes: Approval By:  Signature of Chairman _____	
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V. MOTION FOR ADJOURNMENT:		
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